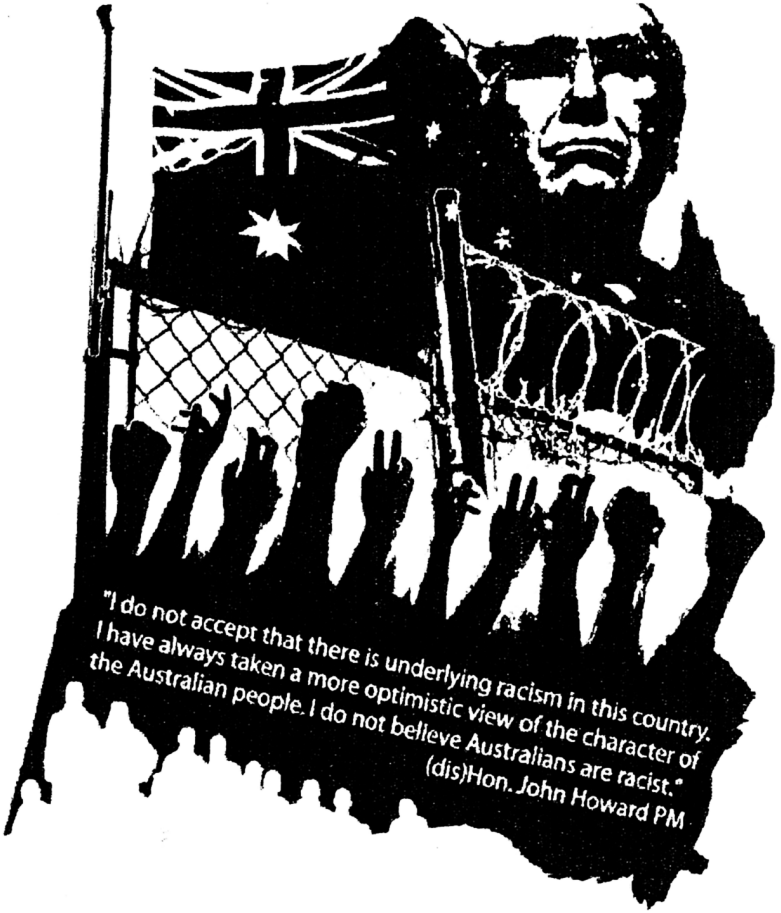
AUSTRALIA

CLOSED BORDERS, CLOSED MINDS


"I do not accept that there is underlying racism in this country. I have always taken a more optimistic view of the character of the Australian people. I do not believe Australians are racist."
(dis)Hon. John Howard PM

Introductions

There are many perceptions about Australians which seem to be fostered from its geographical isolation. A 'lucky' country where the people believe in a 'fair go' for all. Crocodile hunters. Aboriginals. Kangaroos. Desert. But like many stereotypes they are misguided. Australia has a long, sordid and black history. A history that is being furthered by the policies of the current government. A history that many people don't know about.

That is why we've put this together, to start spreading the word about what is happening in Australia. To break down the stereotypes and ignorance that exists and to see what else we can build. Both of us feel a great deal of shame when we see the government cutting forests, supporting wars, encouraging racism, detaining refugees, and everyhting else. But we also feel anger.

These pages are filled with what it is we hate about Australia. It doesn't include the wonderful people that are working towards new worlds, they're in the links part. It may sound all very depressing and sad, but that's a lot of what's happening right now. The right-wing government has been re-elected with majorities in both Houses of Parliament and honestly, times are tough. But it would be foolish of us to crawl into our shells and not try to fight this. Empires fall and people can be convinced that locking up refugees isn't right, or that old growth forests are more important that deadend jobs. Through sharing solidarity we build bridges of hope. We learn about other people's struggles and reinforce our own.

Australia like many places in the world is suffering the affects of neo-liberal agendas and the politics of fear. We hope to shed some light on what's happening down there and make people think twice about 'the lucky country'. We all have our struggles and we can all support each other. Here's to building bridges between us so that distance, borders, and capitalism are a thing of the past.

Proudly 'un-Australian'

Lara and Adam

Contact us:
Lara.d.daley@student.uts.edu.au
adamwolf@riseup.net

White Australia Has A Black History...

There is too much to be said about the history of colonisation in Australia. It all stemmed from the 1788 declaration of 'terra nulius', dictating that the land of Australia was 'uninhabitated'. It was this idea that meant that the colonisers could do what they wanted in Australia, this included the decimation of the Inidgenous inhabitants.

We have tried to find something concise that encapsulates the horrendous history of interactions between Indigenous and non-Indigenous Australian's but nothing was suitable in the time we had. We thought it better to mention some of the injustices that have happened and continue to happen. Aboriginals in Australia today face institutional discrimination, higher rates of iliteracy and poverty, higher rates of incareration, racial profiling and police harrassment, deaths in custody, and many other injustices. The current government refuses to acknowledge the past actions and makes it harder to work towards real justice now. The following is an article by Colin Tatz taken from the www.blackgst.com website and looks at the notion of genocide within Australia. Please take the time to look into the ongoing genocide of the Aborignial culture within Australia. **Always was and always will be Aboriginal Land!**

Decimation: Physical and Social

The Aboriginal experience includes both genocide in the Convention's sense of the crime and a litany of deprivation. Deprivation is not necessarily genocide as such, and we need to look at both phenomena.

Some 120 years ago, the English novelist Anthony Trollope visited Australia. "There has been some rough work", he wrote:

"We have taken away their land, have destroyed their food, made them subject to our laws, which are antagonistic to their habits and traditions, have endeavoured to make them subject to our tastes, which they hate, have massacred them when they defended themselves and their possessions after their own fashion, and have taught them by hard warfare to acknowledge us to be their master."

By 1911, 123 years after settlement, the "rough work" had reduced the Aboriginal population to 31,000. Much of this discussion paper examines and explains that catastrophic reduction. The 1996 census shows a tenfold increase, to 352,970 people, 1.97 per cent of the total population, identifying as Aboriginal or Islander, of whom 314,120 are Aborigines, 28,744 are Torres Strait Islanders and possibly 10,106 are "both", that is, Aboriginal and/or Torres Strait or South Sea Islanders. The Torres Strait people have a different history and a different culture from Aborigines. Administered by Queensland, they were not allowed on the mainland until 1947. Generally they have been treated as Aborigines, but as of 1990 they were given an official voice as a distinct people. Between 10,000 and 12,000 in number, the South Sea Islanders have long struggled for a separate identity, one that only began to be accorded them officially in 1994. They are descendants of men who were "blackbirded", that is, tricked or kidnapped to be brought into Australia to work as "indentured labourers" in the sugar-cane fields between 1863 and 1904. The imperial *Pacific Islanders Protection Act 1872* ("The Kidnapping Act") made such behaviour a crime, but didn't stop the practice: the last kidnapping was reported in 1894. About 68 per

A CURIOSITY IN HER OWN COUNTRY.

cent of black Australians now live in major and smaller urban centres; 32 per cent remain in rural and remote areas.

The upsurge in numbers is due to several factors: we no longer kill Aborigines with gun and poison; we have eliminated smallpox and similar plagues that decimated the tribes; we have radically reduced the forced removal of children and the practice of forced assimilation; health and medical services have alleviated some, but by no means all, the factors causing high infant mortality and short life expectation; we have very much better census questions (Aborigines were only counted in the census as of 1971, and only counted "properly" from 1986); and Aborigines and Islanders, in a greater climate of human rights, have been a little more willing to self-identity than hitherto. My current research in New South Wales (on Aboriginal youth suicide) has shown that many people did not acknowledge their strongly felt Aboriginality in the 1996 census, citing fears of what would be done with the figures, or sheer antipathy to all "white systems", as reasons. My view is that the population is probably closer to 450,000, perhaps 2.5 per cent of the total population.

Yet Aborigines end the twentieth century at the very top, or bottom, of every social indicator available: top of the medical statistics for diseases they didn't exhibit even thirty years ago - coronary disease, cancer, diabetes, respiratory infections; bottom of the life expectancy table, at 50-55 years or less for males and around 55 years for females; with much greater rates of unemployment, much lower home ownership and considerably lower annual per capita incom; an arrest and imprisonment rate grossly out of proportion to their numbers; the highest rate of institutionalisation; with crimes now prevalent which were rare as recently as the 1960s, namely, homicide, rape, child molestation, burglary, physical assaults, drug-peddling and drug-taking; and, sadly, youth suicide, no longer a criminal act, at a rate among the highest on this planet.

There is now a high degree of personal violence within groups; widespread child neglect, including an insufficient supply of food and general care; a marked increase in deaths from non-natural causes; much destruction of property, both white-supplied and self-acquired; increasing attacks on white staff and visiting professionals who work with groups; and a vast quantity of alcohol and drug abuse, commonly offered as the sole "explanation" of the above.

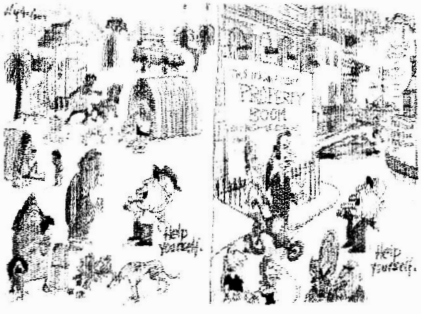
A major underpinning, almost an article of faith, of Australian race relations history has been a Social Darwinist notion that the unfittest don't survive: thus Aborigines, or especially those known by the term "full-blood", were destined to disappear in the face of white civilisation. Succumbing to disease was all too evident. Perishing at the premeditated hands of settlers was less so, but part of a mindset that beheld extinction as inevitable. We need to open our eyes to just how much premeditation has been at work in the 210 years since the British arrived. We also need to set the present predicament of Aborigines and Islanders into context, and to recognise just how much of the past underlies, even suffuses, the present-day life and responses of Aborigines to today's circumstances.

Forcibly transferring children of the group to another group

In 1983, historian Peter Read published a short monograph on the "stolen generations" in New South Wales. The annual reports of the Aborigines Protection [later Welfare] Board were always explicit: "this policy of dissociating the children from [native] camp life must eventually solve the Aboriginal problem". By placing children in "first-class private homes", the superior standard of life would "pave the way for the absorption of these people into the general population". Further, "to allow these children to remain on the reserve to grow up in comparative idleness in the midst of more or less vicious surroundings would be, to say the least, an injustice to the children themselves, and a positive menace to the State". The committal notices prescribed by law required a column to be completed under the heading "Reason for Board taking control of the child". The great majority of responses were penned in one standard phrase: "For being Aboriginal"!

Read's estimate of the number of children removed in New South Wales between 1883 and 1969 is 5,625, allowing (as he notes) that there is a distinct "lack of records". My assessment is a much higher figure. I have not examined such Board or child welfare records as remain, but base my higher figure on an extrapolation of the numbers of forced removals and institutionalisation among the 1,200 Aboriginal sports people recorded in my recent book on the history of the Aboriginal experience as seen through the metaphor of sport. (One example: of the 129 men and women in the Aboriginal and Islander Sports Hall of Fame, twelve were removed, another six, possibly seven were adopted by white families, while another 22 grew up in institutions.) Read's figure of perhaps 100,000 across Australia over a century rings a clearer bell. The National Inquiry into the "separation" of Aboriginal and Torres Strait Islander children from their families, published in 1997, summarises the situation: "we can conclude with confidence that between one in three and one in ten indigenous children were forcibly removed from their families and communities in the period from approximately 1910 until 1970".

In July 1995, journalist Stuart Rintoul met Colin Macleod, a former patrol officer with the Department of Territories, the agency responsible for Aboriginal welfare in the Northern Territory from 1945 until the mid-1960s. Macleod, now a Melbourne magistrate, believes that the policy was indeed dictated by the notion that "half-castes" were "salvageable", whereas "full-bloods" were not. While he disagrees (now) with the removal of children for purely assimilationist or "experimentalist" reasons, he maintains that some removals were "for their own good" and "not done heartlessly". Girls, he says, were at risk from sexual chatteldom, either from the pastoralists who employed them or from the old men to whom they were promised by tribal custom. In his book, Macleod talks about young girls "becoming mothers way before they were old enough to be good mothers, in conditions of unspeakable squalor and cruelty, often inflicted by the child's father ..." Agreeing that he was one of the "benevolent dictators", he is strongly supported



today by a Catholic Brother who insists that "our belief was that we were doing something wonderful for these children by providing them with a home".

In sharp contrast are the memories of the "salvaged" ones: there was little that was wonderful in the experience; there was much to remember about physical brutality and sexual abuse; and for the majority the homes were scarcely homes, especially in the light of the then healthy Aboriginal practices of kinship, family reciprocity and child-rearing in extended families. There is considerably more recorded and substantiated evidence of abuse in the "safe homes" than Macleod claims was occurring in Aboriginal environments. In 37 years of involvement in Aboriginal affairs, I have met perhaps half a dozen men who liked Sister Kate's or Kinchela Boys' Home. I have yet to meet an Aboriginal woman who liked Cootamundra Girls' Home or Colebrook. No one failed to mention the incessant sexual abuse, or the destruction of family life. The late Professor Bill Stanner believed, following a one-day visit, that places like Sister Kate's gave children "a prospect of a better life". In the end, the views of the inmates remain a better testimony.

In 1993-94, the Australian Archives presented an exhibition in Sydney, Adelaide, Canberra and the Northern Territory entitled *Between Two Worlds*, a study of the federal government's removal of Aboriginal "half-caste" children in the Territory from 1918 to the 1960s. It was a brilliant depiction of one facet of genocide, without using the word. Throughout this entire history, there were exceptionally few men and women who heard whispers in their hearts that anything was awry or amiss. But among many exhibits were letters from the late E.C. (Ted) Evans, then Chief Welfare Officer (and Macleod's boss), to the Administrator, urging that removals cease: because, he wrote, they were intrinsically evil and because the world would never understand either the motives or the practices. This exhibition was to be yet another impetus to the movement initiated by Aborigines - the Link-Up project - to discover and recover this peculiar form of Argentine's "disappeared ones", Australia's *desaparecidos*.

By 1994, Aborigines at the *Going Home* conference in Darwin felt sufficiently confident to begin planning civil lawsuits against governments and missions for the forced removal of children, the break-up of family life and the physical placement of people outside the ambit of areas now available (or claimable) under land rights legislation. Only one civil case has been prosecuted by an Aboriginal woman in Sydney: she was ill-prepared and lost her claim against New South Wales. So too did six Aboriginal plaintiffs from the Northern Territory in what is known as the *Kruger* case. They argued that the Aboriginals Ordinance was, in effect, an unconstitutional law, one which gave powers to commit genocide, specifically by removing children so that their religious practices could not be sustained. In what I believe was a poorly constructed case - in part because the legal team tended to ignore Article II (b) and (e) of the Genocide Convention, concentrated on the constitutionality of the offending ordinance (rather than the powers exercised under that ordinance), and depicted genocide as deprivation of religious rights - the High Court (in 1997) found the ordinance valid because it was enacted "in the interests of Aborigines generally".

My research has always tried to examine, and to explain, the gaps, often the gulfs, between policy aspirations and their translations into practice. The results are of interest: the administrative machinery has stopped most policies of equality from coming to fruition but has ensured that most policies of inequality emerge as true inequality, often beyond the letter of the law.

TASMANIA'S FORESTS :

BY ROSIE D.
UNIVERSITY OF WOOLONGONG

Tasmania contains some of the world's most beautiful tracts of old-growth forest. Its remarkable wilderness supports the world's tallest hardwood trees (reaching up to 100m) in the south-west; and the Tarkine – Australia's largest temperate rainforest – in the north-west. It is also home to thousands of species of native plants and animals.

Yet this rare environment is also subject to some of the world's most widespread and destructive logging practices. An average of 20,000 hectares of old-growth forest are clearfelled and burnt each year.

Clearfell logging is one of the most ecologically damaging ways to extract wood. Instead of selecting particular trees for logging, the entire forest is decimated – including all the undergrowth vital for the survival of endangered species. The area is then incinerated with high-intensity fires (fuelled by napalm) so absolutely no native species survive. The ash ensures that nothing grows except for monoculture pine plantations that require enormous amounts of chemicals. Just in case any native animals have survived the clearfelling and the blaze, 1080 poison is spread around the plantations so none of the seedlings are eaten by tired, hungry, thirsty animals who just lost their entire world. This poison is one of the slowest and most painful methods to kill a creature, and its use has been banned in several countries.

All this...so that Gunns Ltd (the world's biggest native-forest logging company) could increase its share price by 900% between 1999 and 2004 – turning some of the Southern Hemisphere's largest carbon banks into goods such as toilet paper along the way. During this time, the rate of native forest clearing has doubled while the returns to the Tasmanian public have halved. (1)

It is taxpayer's money that subsidises this economically unviable industry. Over 80% of destroyed forest ends up as woodchips to be exported to Japan, meaning little is left to make high value timber furniture or building materials. More woodchips are exported from Tasmania than the other states combined, and in 2000 the Australian Bureau of Statistics observed that woodchipping in Tasmania had reached record levels. Since 2001, however, Gunns has prohibited the publication of the data on woodchipping – citing "business-confidentiality" reasons. Australia's smallest state is now the world's largest hardwood woodchip exporter.

And consider this: Forestry Tasmania (the forestry branch of the state government) makes, on average, a 9% return with tourism; but has never made over 2.5% return in the logging industry. Moreover, the lobby group Timber Workers for Forests has estimated that less than 400 jobs would be lost in a transition from logging old-growth forest to logging plantation timber.

Exactly why Gunns is getting away with practices that destroy the Tasmanian environment and economy can be explained by its unique and cosy relationship with the state Liberal and Labor parties (to which it gives substantial donations)

Exactly why Gunns is getting away with practices that destroy the Tasmanian environment and economy can be explained by its unique and cosy relationship with the state Labor and Liberal parties (to which it gives substantial donations). In 1997 a Liberal-Labor deal effectively changed the state's electoral system and minimised Green representation.

With the help of a newly elected Labor government in 1998, Gunns increased its share price from $1.40 to over $12 in four years, recording a 199% increase in profits along the way. The Labor party has exempt Gunns from a variety of laws regulating forestry practices and freedom of information. Apparently it is not illegal to destroy one of the country's most treasured environments if you are a billionaire trying to make another billion .

FIGHT FOR SURVIVAL

Unfortunately for Tasmanians, however, all these billions go to mainland shareholders. Australia's poorest state is losing its greatest natural asset so its rich neighbours can become even richer.

Renowned Tasmanian author Richard Flanagan described eloquently the political climate in Tasmania when addressing a rally in Melbourne last year:

"Because of the forest battle, a subtle fear has entered Tasmanian public life; it stifles dissent, avoids truth, and is conducive to the abuse of power. When Tasmanians choose to question the ongoing destruction of all that is unique and irreplaceable in their world they are lambasted as destroyers, conspirators. The language of treachery and betrayal is invoked against them. To question or to comment in Tasmania is to invite ostracism and unemployment. The blackballed proliferate along with the black stumps."

In the last Federal election there was (amazingly) a clear difference between the federal Liberal and Labor parties – Labor promised to protect at least some of our precious old-growth forest and the Liberals did not. Over 50% of Tasmanians put Labor or the Greens as their first preference for the House of Representatives.

This means the majority of Tasmanians want to see the survival of their island home's ancient forests – and if the Tasmanian government knew anything about democracy they would take immediate action to represent the will of their electorate. Yet Premier Lennon continues to ignore the public; choosing to use taxpayers' money to stand up for the interests of private profit and repress our democratic rights.

And now Gunns are suing Tasmanian environmentalists for taking on the job of really representing Tasmanian (and indeed Australian and global) interests (2). Despite making a 42% increase in profit between 2003 and 2004, Gunns are claiming that ordinary Tasmanians trying to protect their future "are engaging in an unlawful conspiracy to injure the company and disrupting Gunns' business and trade activities" (3) They are seeking damages of over 2 million dollars for loss of business in Japan, as a result of anti-old growth logging campaigns.

Having already ruined our trees and air and water; having already monopolised our economy and hijacked our political system, Gunns seem to be going for the ultimate kill (as if killing old-growth forest and endangered animals isn't enough) – attacking our freedom of speech. If the state of our democracy was being subtly tested before, this is its most blatant test. On this issue, at this time, we can not afford to be quiet; we cannot allow what's left of democracy in Australia to fail.

1. For more info check out the transcript of Four Corners' report "Lords of The Forests" on: http://www.abc.net.au/4corners/content/2004/s1132278.htm

2. Latest campaign updates at the Wilderness Society site: www.wilderness.org.au

3. For details on the lawsuit look at the transcript of the 7:30 Report's, "Guns, Gags and the Greens" http://www.abc.net.au/7.30/content/2004/s1266184.htm

FORESTS

ASEN
Info sheet # 3
Feb 2005

education for liberation

from the Australian Student Environment Network

THE GUNNS 20:

PERSECUTED FOR PROTEST

Gunns Ltd is the company logging old-growth and native forests in Tasmania. They turn those beautiful native forests into woodchips and export them to Japan for fax paper. Gunns ships over five million tons of woodchips to Asia each year and recently made a profit of $105 million.

Many of Australia's largest banks and financial institutions have shareholdings in Gunns. The Commonwealth Bank a long time shareholder under their subsidiary Colonial First State Investments has recently re-invested in Gunns and now own above 5% of Gunns. Other major shareholders include Perpetual Trustees (11.19%) and AMP (7.21%). Gunns uses The ANZ Bank for most of its business and lent them the necessary funds to establish their major operations in Tasmania.

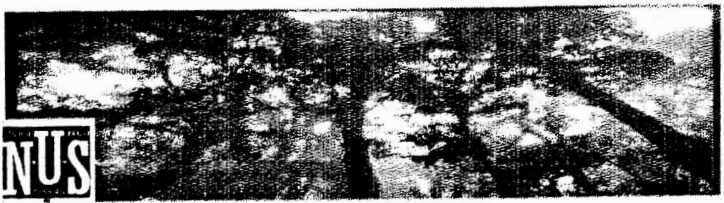
Gunns recently filed a 216 page writ in the Victorian Supreme Court against 20 environmental campaigners and organisations including Senator Bob Brown, Tasmanian Greens MP Peg Putt, The Wilderness Society's (TWS) National Campaign Director Alec Marr, and TWS CEO Russell Hanson. Lou Geraghty, a 60 year old grandmother, is no. 14 on the writ - she became involved after organising a community barbeque. Gunns is also suing organizations as well as individuals - The Wilderness Society, Huon Valley Environment Centre, and Doctors for Forests are included in the claim for damages. The total claim amounts to $6 400 000 and the largest claim is against Leanne Minshull of TWS amounting to $310 000.

The major shareholders of Gunns, The Commonwealth Bank, The National Australia Bank, ANZ Bank, and Perpetual Trustees have supported the Gunns claim. These organisations claim their businesses have suffered as a result of the campaign against them by environmentalists.

This case has already been compared to the McLibel case in the UK. In this case a group of environmentalists were sued by McDonalds for distributing pamphlets critical of McDonalds business practices toward its customers, workers and the environment. The case ran for 314 days, cost McDonalds over 10 million pounds and revived the campaign against McDonald's unethical business practices.

This suit is a disturbing precedent for the right to politically organize in Australia. If companies can successfully use intimidating legal proceedings to effectively silence activists by suing them for damages it will virtually make political protest against corporations impossible. Gunns is clearly attacking freedom of speech and the right to express critical views. These rights have been instrumental in winning many environmental and social justice campaigns throughout Australia's history and must be protected. These types of cases have become common across the world, especially in America, and are known as SLAPP (Strategic Lawsuits Against Public Participation).

This is a last ditch attempt by Gunns to save face with their shareholders who know that the majority of public opinion (80% in one recent survey) is in favour of protecting old growth forests in Tassie. This legal action has the ability to backfire on Gunns as it is clearly a case of a rich corporation persecuting individual activists and community organizations in an attempt to bankrupt and thus destroy them.



SUPPORT UNIVERSAL STUDENT UNIONISM BECAUSE IT SUPPORTS YOU

Violence at Cronulla Beach as 5000 people gather

December 12, 2005

"No Lebs" handwritten on t-shirt

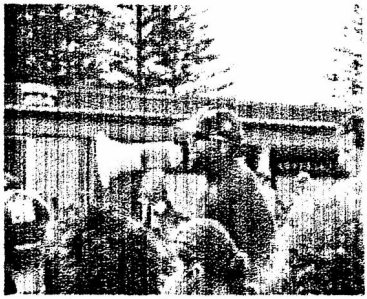
CronullaBeach in Sydney, was the scene of racist mob-violence yesterday. In what has been described as disgusting, un-Australian and shameful behaviour, participants in a 5000-strong mob assaulted people suspected of being of Lebanese origin. The angry, alcohol-fuelled crowd also turned on anyone who tried to help the victims, including police, security guards and ambulance officers.

Following an attack on two lifeguards earlier in the week, allegedly by men of Lebanese descent, a protest had been organised via text messages and a small number of usenet postings.

Sutherland Shire Mayor Kevin Schreiber says inflammatory text messages calling for revenge attacks fueled the violence. Mr Schreiber said the heavily-circulated messages ensured troublemakers went to the southern Sydney beach looking for a fight. Police had patrolled the area all weekend after text messages began circulating among the community calling for vigilante responses to unwelcome visitors on the beach.

"The sending out of that text message was foolish and irresponsible and ensured that people from all over Sydney came to Cronulla looking to cause trouble and this was further fueled by alcohol," said Mr Schreiber.

Sydney's popular talk-back radio station 2GB also promoted Sunday's event. Breakfast announcer Alan Jones has been accused of "fanning the flames." Callers who recommended vigilante action were not discouraged to take the law into their own hands. Mr Jones, notorious for inflamatory comments, repeated the text message for Cronulla residents to defend their territory several times.



"Man wearing Aussie Flag hat speaks into megaphone"

As the crowd marched along the beach and foreshore area, waving Australian flags, the crowd chanted racist slogans, with many wearing clothes bearing racist sentiment.

Middle Eastern men were openly targetted and assaulted. A young Muslim woman wearing a veil was chased into a kiosk on Cronulla beach. Police tried to move her away from the chanting crowd but were unable to reach the security of the command post. While the woman and police officers hid in the kiosk, a crowd surrounded the kiosk and shouted "Kill the Lebs", while others climbed on top of the kiosk.

As police horses and special operations officers formed a line and pushed the crowd away, they were bombarded with beer bottles. After half an hour, an ambulance arrived at the kiosk and

people were loaded into it. The ambulance, transporting six injured youths, escorted by police and police horses, was also bombarded with beer bottles. One struck an ambulance officer on the head. His colleague suffered lacerations to the arm.

Arrests

"Police observing protestors"

A total of 25 people, including two ambulance officers, were injured and about 40 cars were vandalised at Maroubra as the unrest spread to other beachside communities. Police said 16 people had been arrested and charged with 41 offences. Locals said today they were in shock and many refused to be named, too scared of retribution for their comments.

Those charged were from Mortdale, Cronulla, Bondi Junction, Kareela, Granville, Lugarno, Greenacre, Mascot, Northmead, Jannali, Sutherland, and Riverwood. Offences included malicious damage, resist police, hinder police, assault police, resist arrest, possess prohibited drug, offensive manner, threaten violence, affray, possess knife in a public place, and driving in a manner dangerous. All of those charged were men between 17 and 40 years of age.

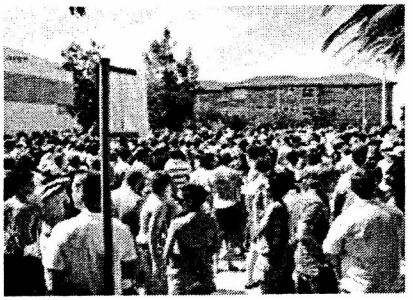
Government response

A Police strike force had been established to track down those responsible, NSW Premier Morris Iemma said today. Mr Iemma said video and photo evidence would be used to catch the offenders following incidents which he said showed "ugly face of racism in Australia".

He said the Government would examine what extra police powers would be needed to combat further outbreaks of violence. A meeting of community leaders would be convened to discuss the problem.

"Let's be very clear, the police will be unrelenting in their fight against these thugs and hooligans," the Premier said. A series of apparent revenge attacks – including two stabbings – occurred overnight following the unrest at Cronulla.

Prime Minister John Howard, at a separate press conference, condemned the violence. He said attacking anyone on the basis of their race or ethnicity was unacceptable and should be repudiated. He has refused to call Australians "racist". He himself created racism-related controversy when in 1988 he claimed that the rate of Asian immigration into Australia was too high.



""We grew here, you flew here" handwritten on persons back"

Response from Islamic leaders

Kuranda Seyit, the director of Forum on Australia's Islamic Relations (FAIR), an Islamic think-tank, was disgusted by the weekends violence. "The Cronulla police must send a loud and clear message to others who are potentially considering vigilante action against fellow Australians," Mr Seyit said. He also condemned the previous violence that was allegedly committed by Lebanese men, but said that this does not justify yesterdays violence. "I realise that the initial behaviour by the thugs who beat the lifeguard was unacceptable but to take it out any anyone who the mob think are not one of them, is not the solution," Mr Seyit said.

He suggested that a number of people in Sutherland Shire were racist, and this contributed to the violence. "Obviously the underlying racism and intolerance in the shire is now bubbling to the surface."

Participation of "Neo-Nazis"

NSW Deputy Police Commissioner Andrew Scipione says police believed neo-Nazi and white nationalist groups were among the crowd. "That in fact is something that we're following up," he told the Nine network.

Skinheads wearing boots, braces and neo-Nazi emblems were among the protestors. Three far-right organisations: "Australia First Party", "Patriotic Youth League (PYL) and the Newcastle-based "Blood and Honour" - all handed out pamphlets. PYL describes itself as a "radical nationalist" group with links to the German-based skinhead group Volksfront, British Nationalist Party and the New Zealand National Front.

Australia First's Dr Jim Saleam, who was jailed for 3 1/2 years in 1991 for possessing a firearm and organising a shotgun attack on the home of the African National Congress's Australian representative, said: "I wouldn't condone it, but I wouldn't condemn it," Dr Saleam said his members had recruited up to 120 people for the rally but denied they were involved in violence.

Anti-race hate campaigner Matt Henderson-Hau, who runs the Fightdemback.org website, claims only one skinhead at the rally came from within the Sutherland Shire. "The rest came from the Central Coast, Newcastle and other parts of Sydney," he said. Mr Henderson-Hau said neo-Nazis had manipulated the crowd at Cronulla. "If you remove the Nazis from the equation, you will go a long way to dousing the flames and hopefully some cool heads will emerge on both sides," he said.

Mandatory Detention of Asylum Seekers: Punishing those who flee persectution

Dr Annie Sparrow, physician working in Woomera Detention Centre:

'There are no facilities and there are not any services provided to actually support the refugees either medically or psychologically, or in recreation, and this all has a very profound effect on their medical and physical health.'

'The food and quarters at the centre are of poor quality and I have never seen so many children who are depressed and traumatised by the environment. I saw a 16-year-old who attempted to hang himself, I saw a 14-year-old girl who cut her wrists and I saw another 14-year-old boy who tried to choke himself.'

It is the issue of mandatory, prolonged detention of asylum seekers arriving in Australia without authorisation that has polarised many opinions in the community. Amnesty International recognises the need to maintain national security and where initial detention may be necessary for health, security and identification checks. However the debate must remained focused on the effects of long-term, prolonged detention, and why this is a violation of fundamental human rights.

Since 1 September 1992 all people arriving in Australia without proper travel documents are immediately detained. They remain in detention from a few hours to up to a few years until they are either granted a visa or deported. This includes all people seeking protection as refugees. By contrast, people who enter Australia on a valid visa and who then claim protection as a refugee are not usually detained.

Detention of asylum seekers without proper travel documents is automatic. There are no charges laid, and no appearance before a magistrate or court to decide if detention is absolutely necessary or appropriate. Except for rare situations, Australian law prohibits the release of detained asylum seekers while their refugee claim is being assessed.

There are instances where initial detention may be necessary, for example to establish a person's identity or perform health and security checks. However, international human rights law requires that governments do not detain people automatically or beyond what is a reasonable length of time.

Detention of all asylum seekers without charge or judicial review amounts to arbitrary detention. It this aspect of detention - ongoing and prolonged with no notification of release - that amounts to a serious violation of the rights to liberty and freedom from arbitrary detention.

Any person arriving in Australia, regardless of their modes of transport or lack of documentation has a right to seek protection from persecution or torture. The 1951 Convention on the Rights of Refugees (Refugee Convention), a human rights treaty that Australia has ratified and thus agreed to adhere to, clearly outlines that a refugee seeking protection from persecution shall not be penalised for entering a country without valid documentation. This applies to

Australia. Currently, Australia is punishing those who deserve our compassion.

Many people kept behind razor wire fences of detention centres have survived torture and ill-treatment, escaping from situations of violence and abuse. Many have lost loved ones and have been forced to leave their homes suddenly. Having survived traumatic experiences, the effects of being isolated in sometimes remote, harsh environments further accentuate their mental despair and anguish.

Up to 80 per cent of detainees are granted refugee status and provided with visas to remain in Australia. This very high rate heightens concerns that those kept in detention have experienced grave human rights violations and are not economic migrants whose illegal entry into Australia the policy aims to prevent.

In May 2002, the UN Working Group on Arbitrary Detention (WGAD) and the Office of the UN High Commissioner for Human Rights (OHCHR) sent delegations to investigate conditions of detention and the legal regime governing the detention of asylum-seekers without trial or judicial oversight. In July 2002, the UN High Commissioner for Human Rights">OHCHR delegate described the detention regime as "offensive to human dignity" and reported "serious concern" about the human rights situation of people in immigration detention, particularly children and unaccompanied minors. In December 2002, a WGAD report expressed similar concerns about "the psychological impact" of the detention regime, its "automatic and indiscriminate character, its potentially indefinite duration and the absence of juridical control of the legality of detention". The Australian government rejected the findings of both reports.

In November 2002, the national Human Rights and Equal Opportunity Commission (HREOC) found that Australia had breached its international human rights obligations by transferring six asylum-seekers from immigration detention to prisons, where they were arbitrarily detained without charge alongside convicted felons. One man had been held without judicial oversight in prison and immigration detention since December 1997.

In December 2002, the HREOC found that five asylum-seekers in Port Hedland detention centre had been arbitrarily detained for more than six days in isolation in dim or dark rooms before an immigration official became aware of their treatment. During the six days, they were allowed outdoors only twice for 10 to 15 minutes, and only one was given a change of clothes after five days. Despite reports by the official, the government took no action until alerted by AI Australia.

Temporary Protection Visas

Temporary Protection Visas (TPV) are three-year visas granted to some refugees in Australia. Unlike refugees who reside in Australia under a Permanent Protection Visa (PPV), those on TPVs have reduced access to government social services.

Since 20 October 1999 any asylum seeker who arrives in Australia undocumented, and who is later granted refugee status, is initially entitled to a three-year temporary protection visa. However a refugee who arrived in Australia with a valid - holiday, student, working visa - is

able to apply for a Permanent Protection Visa.

In some cases, these people are able to roll over their TPV to a permanent visa after 30 months. However, this is under certain conditions. If an asylum seeker has either:

1. Entered Australia outside the migration zone (entry to the Australian mainland via excised territories; Cocos Island, Christmas Island and the Ashmore reef) or
2. On route to Australia transited a 'safe country' (as determined by Australia) for more seven days, they will not be entitled to apply for a Permanent Protection Visa. The Minister for immigration also has complete discretion to provide any person seeking refuge in Australia with a TPV.

Unlike other refugees, those on TPVs have reduced access to government social services.

Services Provided to Refugees holding Permanent Protection Visa (granted offshore or documented onshore):

- 13 weeks initial accommodation
- Bond assistance
- 510 hours English language tuition
- Immediate access to social security payments
- Able to work and receive employment assistance
- Able to receive Medicare

Services Provided to TPVs:

- No initial accommodation offered
- No bond assistance
- No English language tuition
- Access to Special Benefit payment only
- Able to work but no employment assistance
- Able to receive Medicare

For assistance in finding accommodation, bond money, employment and learning English upon release from detention, TPV holders rely on the volunteers and extremely stretched resources of church and community groups.

After three years the asylum seeker has to apply again to stay in Australia on the basis that they can still be considered a refugee. The onus is on them to prove that the conditions in their country have not changed and that it would not be safe for them to return. A TPV does not allow the person to leave Australia over the three years and so they are separated from their families for this time. TPV status also denies the holder access to family reunion.

The 1951 Refugee Convention states that refugees escaping danger should not be penalised for entering a country without proper documentation. Many refugees who flee persecution often have no choice but to leave their country irregularly. For example, Iran maintains a 'black list' of all those wanted by the state at all major exits to the country. If someone who faces persecution attempts to leave legally security forces will immediately prevent him or her from leaving.

In effect the TPV penalises those who have been forced to flee human rights abuses but entered Australia undocumented. No matter where they come from or how they arrive in Australia, a refugee is a person fleeing human rights abuses.

What is the effect of ongoing, arbitrary detention on the mental health of detainees?

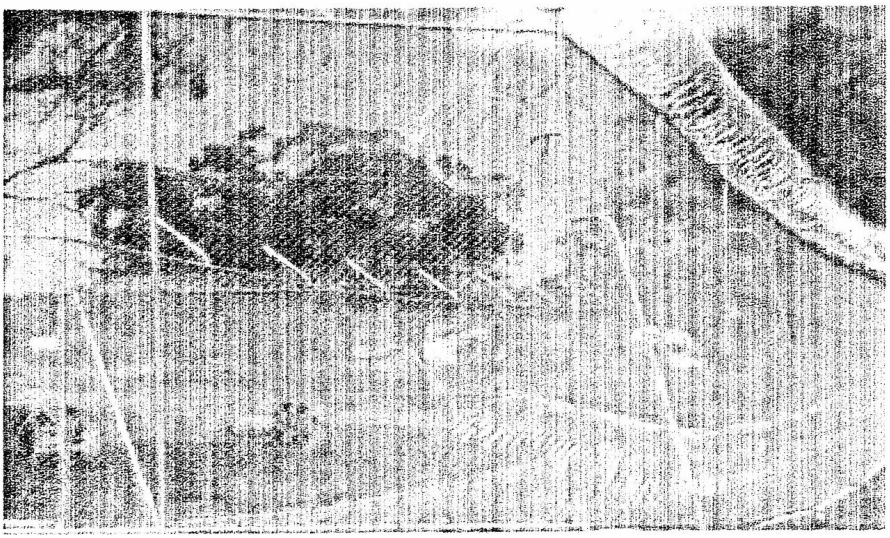
Detention has been shown to have an enormous effect on the physical and psychological wellbeing of detainees.

Many asylum seekers are survivors of torture and persecution, fleeing human rights abuses and often leaving family and loved ones at home. Many have lost family and are extremely distressed by their experiences. Yet they are also trying to rebuild their future and on arrival in Australia are hopeful for compassionate and humane treatment.

The day by day the ongoing detention leads to mounting stress and tension. This often results in depressive illness and thoughts of despair and helplessness. Some detainees show strong aggressive-impulsive and self-harming behaviours, reflected in suicide attempts, acts of mass violence, group break outs, rioting, burning of facilities and hunger strikes.

A wide range of psychological disturbances are commonly observed among children, including mutism, withdrawing from contact with others, bedwetting, refusals to eat and drink, as well as acts of self harm and attempts of suicide.

Community based asylum seekers - those who apply for refugee status after arriving in Australia on a valid visa - who do not apply for protection visa within forty-five days of arrival lose the right to an Australian Medicare card. This means they could be without Medicare access for physical as well as psychological help, for sometimes up to five years while applying for refugee status.



ANZ: Making a Killing in Iraq

On the 1st of September 2003, ANZ announced that it was part of the Iraq Trade Bank- a consortium of international banks led by JP Morgan Chase – set up by the Coalition Provisional Authority. The bank provides crucial financial backing and security that underpins the neoliberal restructuring of the Iraqi economy. This economic model is designed to maximise the entry of western corporations into the Iraqi economy on favorable terms. The Coalition of the Willing is literally forcing neoliberalism onto the Iraqi people and has shown that it is willing to continue to do so, regardless of the cost in Iraqi lives and the peoples opposition.

THE CAMPAIGN SO FAR

Anti-war actions targeting ANZ for their involvement in the Iraq Trade Bank began with the occupation of Melbourne ANZ corporate offices in December last year.

The campaign adopted a life of its own: in January ANZ faced protests in Sydney and Brisbane, anti-war activists descended on Auckland's main branch in March, and in May Melbourne activists were at it again, picketing the Swanston St. branch.
Perhaps the most successful actions against ANZ so far were the rolling and decentralized occupations of several inner Sydney branches in August as part of the Forbes500 protests. The actions resulted in all of the inner Sydney branches being closed by management for three full days.

The arrest and deportation of American peace activist Scott Parkin combined with the overwhelming success of the August Sydney actions resulted in a flurry of anti-war actions targeting ANZ across Australia and in New Zealand. Sydney, Brisbane, Newcastle, Perth, Melbourne and Auckland.

ANZ CAN BE FORCED OUT

It is widely recognized that the war in Iraq is going badly for the coalition of the willing. More troops are dying every day, public opinion is scathing from London to Washington and the Iraqi resistance shows no signs of weakening. Right now the anti-war movement is in a strong position.

ANZ's investment in Iraq is relatively small comparative to its entire portfolio, and it is vulnerable to the opinion of the Australian public. It has already been shown that ANZ management reacts with very little pressure. It is realistic to imagine that ANZ will withdraw its investment in the Trade Bank in the face of public pressure; a public relations disaster for the Howard government, and a direct blow to the corporate machinery that is extracting profit at the cost of the Iraqi people.

THE ACTION HAS ONLY JUST BEGUN

The actions against ANZ have so far been hugely successful and have laid a solid basis to launch a winnable campaign. However, if we want to force the bastards out- a realistic and achievable goal- then we need to put our heads together and plan for an effective, concerted and collective push. A coherent campaign needs to be established, and it needs to be more than just a series of loosely connected actions. Anti-war activists in Sydney and Brisbane have in the last couple of weeks been doing just that, and Melbourne does need to keep up with the Jones'.

Come to a discussion of how we will turn our opposition into a winnable campaign:

- A run-down on actions against ANZ so far- including snazzy AV props.
- Leanne Minshall, an experienced corporate campaigner will give a overview of the tactics that were useful in targeting corporations during the Jabiluka and Tassie Forests campaigns.
- A Union Organiser, will impart wisdom on how to approach the workers at ANZ.
- Ensuing discussion of how we will organize ourselves; tactics, targets, communication, outcomes and how these things will constitute a strategy.

7pm, Thursday 6th of October
Ross House, 247 Flinders Lane, City

For More Details:
Phone: 0400 526 313
Email: melbourne.disobedience@gmail.com

A tolerated disgrace

Story by Justine Vaisutus

"The first time was the shock of it, the surprise of it happening. I knew he had a temper, but I was in the kitchen and as I turned around I thought I'd bumped my head on a cupboard. I landed on my back and thought it must be a mistake. I was reaching out for his hand to pick me up and he hit me again. There was a shock about how it could go from love to something so physically abusive, from one extreme to another."
– Patricia Hughes, a survivor of domestic violence.

In 2004, the United Nations ranked Australia the third most liveable country in the world. Most Australians would not dispute this. We bandy about the term 'lucky country' with pride and more than a little self-satisfaction. When we read Patricia's story we would like to believe that it is isolated, that this type of abuse is not a common occurrence in a society that prides itself on the concept of a fair go for everyone.

Yet the findings of the International Violence Against Women Survey (IVAWS) reveal a different truth. The survey found that 57 per cent of women interviewed in Australia had experienced at least one incident of violence in their lifetime. One in three women experienced violence in their intimate relationship. Those at most risk are indigenous women, and young women aged 18 to 24 who are far more likely to be the victims of sexual assault.

The survey, which was published last year and represents the latest data available, also indicates that domestic violence in Australia is neither random nor rare, but common. So common, in fact, that in April Justice Minister Chris Ellison told a UN congress on crime and criminal prevention that domestic violence is one of the greatest challenges facing this country today.

His concerns are well-founded. A recent VicHealth study concluded that domestic violence is the leading contributor to death, disability and illness in Victorian women between the ages of 15 and 44. It is a shocking finding. So, too, is the fact that most victims of domestic violence suffer in silence. This was the case for Patricia, until a frustrated doctor intervened.

"The last time was the worst," recalls Patricia. "[My husband] punched me in the chest and I had a broken sternum. I went to the hospital and the doctor said, 'I'm not going to let you walk out of here without telling the police – you've got to do something about it'."

That fact that violence against women takes a greater toll in at least one Australian state than health problems such as obesity, blood pressure and cancer is disturbing. The toll is much worse for indigenous women. The IVAWS found that the number of indigenous women who suffer at the hands of domestic or family violence is 40 times higher than for non-indigenous women. Equally alarming is the fact that indigenous women, who represent just 2 per cent of Australia's population, are victims of 15 per cent of homicides nationwide.

Rose Solomon from Elizabeth Hoffman House, an Aboriginal Women's Refuge in Melbourne, is frustrated by the overwhelming silence on the higher rates of violence that indigenous women face. "The levels of violence in Aboriginal communities are escalating and it concerns me that the federal and state

governments continue to ignore the plight of Aboriginal women and children. Our communities are in a constant state of trauma and we've got a situation in some where violence is actually quite normal and in some communities sexual abuse is quite normal."

While an insight into the physical impact of reported abuse can be calculated from police and medical data, there is little research done in Australia on the emotional and psychological impact on victims and their families. International studies have found that fear, anxiety, low self-esteem, impaired thinking, guilt, isolation, eating disorders, depression, suicidal behaviour, and significant mental and reproductive health damage are common among victims of domestic violence.

Patricia Hughes explains: "Bruises and broken bones heal but the psychological abuse stays with you forever. You hear things like, 'You're just not worthwhile, no one wants you, [and] you are not worth the effort'. After you hear this repeated so often you end up believing these things."

But the trauma is not limited to victims. On 21 July 2003, Julie Ramage was strangled to death by her estranged husband James, who then dumped her body in a hole in Kinglake in Victoria. James Ramage's trial received a great deal of media attention, but the wave of suffering caused by his crime did not.

Left behind were Julie's two children, her parents, her twin sister Jane, and a network of friends. Jane spent the ensuing months trying to raise awareness among community groups about the horrifi c effects of domestic violence, and she did so while grappling with her own and her family's grief.

"They think they've done something to bring it about. There is also the fear of not being believed as well as a general sense of discomfort with the criminal justice system. There have been a number of studies about how hostile the criminal justice system is in regards to sexual assault [in this country]," she says.

D'Arcy's concerns about the criminal justice system are supported by a 2004 study, Prosecutorial Decisions in Adult Sexual Assault Cases, conducted by the Offi ce of the Status of Women. The study found that 38 per cent of cases were withdrawn from prosecution, due in part to the fact that some prosecutors "actively look for factors that discredit victims and provide legal rationale for rejecting cases". The study found that many victims said they felt they were on trial rather than the perpetrator of the crime.

When the Australian Government launched its Violence Against Women – Australia Says No campaign on 6 June last year, the national helpline received more than 24,000 calls in the first seven weeks of the campaign. However, whether or not violence against women is increasing is difficult to determine because of an absence of consistent research that documents how many women are affected by domestic violence.

"Over the last two to three decades we've put a lot of time into community education and making agencies more responsive about asking questions and recording the incidence of violence," says professor Julie Stubbs of the University of Sydney's faculty of law. "[However], it is hard to know whether there has been an increase or more reporting and more women responding. It has just now become common place in hospital emergency wards for doctors

and nurses to perform domestic violence screening. As agencies become more attuned to domestic violence being an issue we see more recognition," she says.

Stopping the violence So how do we stem the trauma and suffering of violence against women in Australia? The need to alter the inherent psyche that permits and tolerates it is central to Amnesty International Australia's push for a National Plan of Action to eliminate violence against women. Currently there are signifi cant differences between Australia's states and territories in policy, programs, legislation and allocation of funding to address violence against women. Amnesty International Australia wants the Federal Government to develop and commit to a comprehensive, nationwide strategy to fulfi l its obligations as a signatory to international human rights conventions as much as to meet its moral duty.

Reform of the way victims are treated in the legal system is a crucial issue. Only 14 per cent of women who have suffered some type of violence report it to the police. The emotional impact of an assault deters some women from reporting the crime, but many are unaware of the support services available, or simply do not believe the police will be able to help them. Even when women do report crimes, very few result in an offender being charged. Vanessa Swan of the National Association of Sexual Assault Services explains: "There is evidence that sexual assault is minimised and that women don't see it in the context of a crime."I also think there are concerns about police attitudes and the ability of the courts to prosecute these matters. Women are left thinking there's no possibility of justice.

"One possibility for reform is specialist courts. Clearly there is something wrong with a system where conviction rates are [only] 2 to 4 per cent of the cases that even get there," Swan says. Amnesty International Australia's Stop Violence Against Women Campaign and its call for a National Plan of Action for the first time puts domestic violence squarely into a human rights abuse framework. Among numerous recommendations, the plan identifi es a need to improve research and analysis, establish guidelines, standards and protocols for services dealing with victims, supply adequate funding for a national scheme, and develop ongoing education and awareness strategies in the wider community.

The plan also calls for better funding and coordination of services, and points to more support for marginalised groups as being integral to any progress.

At CASA House in Melbourne there is a six-month waiting list for non-crisis counselling services, but in regional areas services can be much harder to access.

"There are huge areas throughout Australia that have no access to services without having to travel far. There are women with disabilities or migrants who would find it difficult to gain access to any service," says D'Arcy. As Solomon explains, the situation for Aboriginal women is similarly bleak. "We've seen some great progress from the Victorian Government but there are no services on the ground to assist Aboriginal women and children, or very few. We can set up policies and programs, but without programs on the ground all the others will fail. Our organisation is sick and tired of applying for one-off funds because you create a demand and let people down once the funds are fi nished. We want to talk about long-term solutions."

The IVAWS suggests that the family courts need to focus on early intervention, offender accountability, victim safety and the provision of services to victims rather than just the arrest and conviction of perpetrators.

There has been some progress in recent years in Australia – in 1997 the Federal Government launched the Partnerships Against Domestic Violence Initiative, a national framework founded on coordinated action between the federal, state and territory governments, and business and community sectors. But funding for the initiative expires in June 2005.

Overriding opinion from the experts is that further policy change and community education are fundamental to changing societal behaviour in order to prevent violence against women.

More than 20 years of research and literature supports the premise that violence is a learned trait, passed down from adults to children. Women who, as children, have witnessed their mothers or other female role models suffer violent abuse are twice as likely to perpetrate acts of violence themselves, and to suffer abuse in intimate relationships.

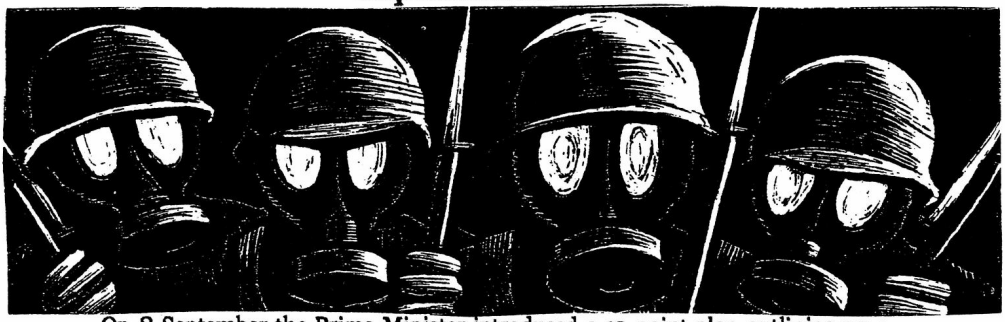
It is time the Australian public joined victims, support workers, legal experts and human rights organisations such as Amnesty International Australia in saying enough is enough.

Justine Vaisutus is a freelance writer and regular contributor to The Human Rights Rights Defender.

Less than a top priority

In total, the 2005 budget (which is $8.9 billion in surplus) allocated $75.7 million over four years to address violence against women. This funding compares with: $1.1 billion to strengthen national security $239 million to enhance the investigation and language skills of intelligence agency personnel The 2005 federal budget did, however, renew funding for the Domestic Violence Clearing House and the Australian Centre for the Study of Sexual Assault.

New anti-terror laws and the Muslim community -- a plain English explanation



On 8 September the Prime Minister introduced a 12-point plan outlining new anti-terror laws in a press release. Two weeks later he went to the Council of Australian Governments ('COAG') meeting with the proposals. By and large, all of the Premiers and Chief Ministers approved the measures.

On 6 December 2005, the Senate passed the *Anti-Terrorism Bill (No.2)* 2005. The Bill will soon become law. The Bill was passed, despite the protests of leading legal experts, academics, politicians and civil rights groups, including AMCRAN, who carefully analysed the legislation. There are serious human rights concerns with the legislation. It is open to abuse in its application and it does not carry the safeguards that the Prime Minister promised.

We will outline the new anti-terror laws and explain some of the practical implications of the new laws, with an emphasis on the impact on the Muslim community.

CONTROL ORDERS

Control orders allow a person to be put under house arrest, to be forced to wear a tracking device, to be stopped from using phones or internet, or a number of other measures. If you violate a control order, you could go to prison for up to five years. Control orders can last for up to a year, or 3 months if you are between 16 and 18. But the new legislation specifically allows for "rolling" control orders; i.e., one control order finishes, and the next one begins. This means that it is possible that someone could have control orders apply to them for ten years; with control orders issued year after year after year until the legislation's sunset clause kicks in.

The judge can make control orders if the order would substantially assist in preventing a terrorist act; or if the person has provided training to, or received training from, a banned terrorist organisation.

When control orders are issued, the police don't have to meet the usual standards of "beyond reasonable doubt" for criminal charges. It is a "balance of probabilities" test; in other words, the judge only has to believe it is more likely than not that the person meets the above criteria. Hence control orders can be seen as a "back door" to controlling what you can do, where you can go and who you can talk to – even though police don't have enough evidence to charge you

with a normal offence.

What's more, it is a "guilty until proven innocent" approach. A police officer, with the Attorney General's permission, goes to a judge and requests an "interim control order". If the interim control order is granted, then you have to go to court to argue that it should not continue for the next twelve months.

Muslim community impact: Because it's a "balance of probabilities" test, rather than "beyond reasonable doubt" test, and because the subject of the order isn't even there at the time the decision is made, there is the potential for stereotyping and racial profiling. This could lead to many innocent people being placed under control orders.

Also, the "training with a terrorist organisation" clause is retrospective, so it would apply to people who might have -- many years ago -- worked with Hamas or Lashkar-e-Taiba, before they were outlawed and before September 11. There is already a crime for "training with a terrorist organisation", but this seems to be a backdoor way to limit the freedoms of people who can't be found guilty of a crime.

PREVENTATIVE DETENTION

The police can get a preventative detention order to hold a person in custody for up to 24 hours. This initial preventative detention order can be issued by the Federal Police alone without judicial approval. In NSW, NSW police have to go to court to get this initial preventative detention order. Police can only apply for an order if they think there is a terrorist attack likely in the next 14 days, or there was a terrorist attack in the last 28 days. In NSW, the period of a preventative detention order can be extended up to a total of 14 days, but only after you get a chance to argue against it in court.

When detained, the police can impose limits on who you can talk to. They can even stop you talking to your lawyer and your family. You are only allowed to communicate by fax, phone or e-mail, and all your communications are monitored. If you are under 18 years old, then your parents might be allowed to visit you – if police permit it. If you want to talk to your lawyer in a language other than English, then there has to be a translator there so the police can hear what you are saying. In NSW, you will be allowed to call a family member and tell them that you are being held under a preventative detention order and how long you will be held for – if you say any more, you could go to prison for 5 years. The person you call will also be prohibited from telling another person, or they could go to prison for five years also.

Muslim community impact: It is possible that in the aftermath of a terrorist attack, many Muslims will be arrested to "preserve evidence", while the police try to work out what is going on and apply a "better safe than sorry" approach to detaining people. Indeed, in the aftermath of September 11, at least 70 people (all but one Muslim) were detained using the "material witness" laws in the US, the effect of which is similar to preventative detention. This is the most conservative estimate, because of secrecy, we don't how many were detained, but some estimates are as high as 1200.

RANDOM STOP AND SEARCH POWERS

If you are in an area controlled by the federal government (for example, airports and shipping ports), then police can stop you, ask you your name, address, for

proof of who you are and why you are there. Police can also search you, your vehicle or anything under your control. Police can do this if they reasonably suspect that you "might have just committed, might be committing, or might be about to commit a terrorist act." If you fail to cooperate or if you tell a lie, you could be fined up to $2,200. If the police find something that they think can be used as part of a terrorist act, they can take it from you.

In addition, the Attorney General can declare an area controlled by the federal government (airports, shipping ports etc.) to be a "security zone" for up to 28 days. This declaration of a security zone, on the grounds of "preventing a terrorist act occurring; or in responding to a terrorist act that has occurred," means police don't have to have reasonable suspicion, they can just stop and search everyone in the area.

Muslim community impact: This opens a huge door for racial profiling -- it is more likely that Muslims will be searched. Furthermore, it may cause community backlash against Muslims as people blame Muslims for being subject to these measures. There is also a particular issue for women who wear hijaab or niqaab who might be requested to remove their hijaab as part of a search. There is no requirement that the search be conducted in private.

INCITEMENT, SEDITION AND "ADVOCATING" TERRORISM

There are a number of complex measures relating to incitement and sedition. This would limit people's ability to speak openly about any armed conflict in the world, if it includes Australia or Australia's allies. For example, if a person said that "Iraqis have the right to resist the occupation of Iraq by Western occupiers," this statement could be considered seditious and would carry a sentence of up to 7 years.

Furthermore an organisation that adopted a stance such as the above, would be considered to be "advocating terrorism". Advocating terrorism is defined as "praising the doing of a terrorist act in circumstances where there is a risk that such praise might have the effect of leading a person...to engage in a terrorist act", "directly or indirectly counselling or urging the doing of a terrorist act, or directly or indirectly providing instructions on the doing of a terrorist act".

If that is the case, the organisation can be proscribed, which carries with it many offences. For example, being an informal member of such an organisation would carry a sentence of 10 years.

Muslim community impact: Muslims often express solidarity with their Muslim brothers and sisters elsewhere in the world, in places such as Iraq, Kashmir, Afghanistan and Palestine, and want their brothers and sisters to be free. In some cases, they express the point of view that these people have the right to use violence as a means of achieving their goals, just as the Australian Government advocated the use of violence to protect itself from weapons of mass destruction from Saddam Hussein. Such statements could now possibly be illegal under these new laws.

CHARITY

The new provisions for financing of a terrorist organisation mean that many innocent people trying to support worthwhile causes could end up in prison for the rest of their life. Under the new measures, if someone asks you for help collecting charity for a cause and you help them, you have to check they are not

using it for terrorist causes. For example, X asks you to help him raise money for victims of an earthquake in Pakistan. You help X to raise funds, but X then gives the funds to an organisation in Pakistan that as well as helping with the earthquake, also engages in activities the government thinks are illegal. You are now guilty of a crime that could find you in prison for the rest of your life.

Muslim community impact: There is the serious potential that innocent people with a sincere intention to help others will end up in prison for having done no wrong except for having taken someone's word. Furthermore, existing anti-terror laws have seen donations to charities in Australia decrease. These laws would reduce charity even more, and would create feelings of ill-will and suspicion among the community.

OTHER MEASURES

Other measures in the anti-terror laws give police extensive powers to ask you to produce personal and private documents such as financial records and to find out about your travel patterns. Safeguards that ASIO have to meet when tapping phone calls and monitoring mail have also been weakened.

industrial relations: howard style...

Dom Rowe

1. the attacks

ON 26 May 2005, Howard and Minister for Workplace Relations Kevin Andrews finally announced some detail of their election night promise of industrial relations 'reforms'. The details remain sketchy. They hope to table its legislation in late October.

So what should be expected? The Coalition say they want awards, which form minimum wages and conditions for workers, to be stripped even further with long service leave, superannuation and jury service to be removed. Classification structures - a basic right for workers which shows how much a worker is paid at each level of skill - are also on the hit list.

Australian Workplace Agreements (AWAs), individual contracts, will be strengthened. Bosses will force new employees onto AWAs, refusing to employ them unless they sign. This will only further support the employers' economic position as they can already refuse to sign collective agreements even if the overwhelming majority of workers want a collective agreement.

AWAs encourage the atomisation of workers, a drop in conditions and increased exploitation. AWAs and collective agreements (union or non-union) have previously been compared to the relevant award, via the "no disadvantage test", to ensure working conditions bargained for do not fall behind minimum standards. The Government now wants the test to be against five conditions only - annual leave, minimum pay rates, maximum ordinary hours, personal/carer's leave, and parental leave. This means bosses can force poorly organised workers onto individual contracts and agreements that are lower than current minimum award standards.

The Government plans to restrict unfair dismissal laws to those workers employed by businesses with less than a hundred employees. These changes would mean that workers in over 90 percent of Australian companies could be sacked unfairly with no protection. Peter Costello said in a recent interview that even the 100 employee threshold was too low.

Yet under the '100 worker' rule, workers in McDonalds franchises, subsidiaries of multinational companies, distribution warehouses, and publishing houses of less than 100 employees could all be sacked for spurious reasons or get no redundancy. Even some business leaders were surprised. And contrary to Howard's claims, a recent *Australian Financial Review* survey found that 80 percent of small business wouldn't be encouraged to hire any more workers.

The minimum wage in Australia is technically set when the ACTU applies to the Industrial Relations Commission to have it increased in a particular industry award. The IRC hears from unions, bosses' organisations and the federal government. If what the Coalition Government has argued for in these cases in 1996 had been accepted, the minimum wage would now be $50 less - that's about $2,600 a year.

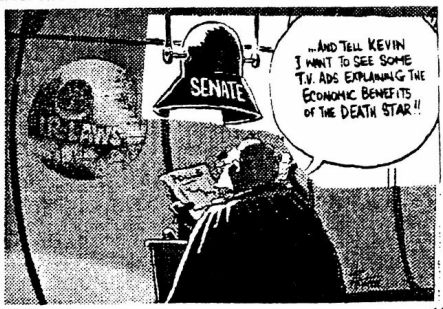
Minister Andrews has publicly pronounced that the minimum wage in Australia is $70 too high. It is unsurprising then that the Howard Government proposes we move to a US style system of setting the minimum wage. They propose a new *(Un)*Fair Pay Commission that would be filled by government appointees from business and treasury, with possibly one union representative. This Commission will recommend a minimum wage level to parliament, who would make the final decision. Under this new system, the minimum wage would reflect that of the US where the lowest paid workers haven't had a pay rise for over seven years. Such a body would be rigged to make minimum wage decisions that are in the interests of employers and profits and parliament would be pressured to agree. Over time it would just mean less for workers, more for bosses.

At the same time as these working class wide attacks, the Government has continued the witch hunting of specific unions. Under the *Higher Education Workplace Relations Reforms (HEWRRs)* this sector's funding is tied to industrial relations reforms. Universities will have to offer all staff AWAs, all provisions relating to types of employment and job security are to be removed from agreements or government funding is withheld. This means caps on the number of casual employees and limits on temporary and marginal employment within universities are to stop. This will push down conditions for all staff. The NTEU is resisting the attack by signing off with various Vice Chancellors and minimally changing collective agreements so they are HEWRRs compliant. This is likely to stave off effects from the first round of HEWRRs attacks, but when the Government turns the screws on university funding, the NTEU will have to be well organised and unified to resist.

The Construction Division of the CFMEU is also under direct attack, because of its historical militancy, strength, and as a driver of worker improvements across the economy (just look at Workers' Compensation allowances and penalty rates). The CFMEU just has too much control over what goes on in the building industry for the Government's liking. They held the Cole Royal Commission to find evidence against them - it cost $100 million dollars but did not lead to a single successful prosecution of any construction unionists.

In a further attack on the CFMEU the Howard Government has passed new draconian laws where individual building workers can be fined $10,000 for turning up to union meetings. The union can be fined $110,000 for each worker attending a union meeting. Union organisers' access to building sites is curtailed - when they *do* have access they can be followed by government inspectors and be photographed. Such 'inspectors' have been attending union meetings this year to 'gather' evidence against the union. Workers who are questioned by government agents about the CFMEU must answer, even without legal advice, or face up to five years jail. Free to be a union member in Australia - hardly.

The government wants to undermine the idea of collective organisation. If it can weaken the strongest unions, it will be easier to attack everyone else. This is why it is so important that when these unions are under attack, workers from all areas rise to defend them. An attack on one is a threat to all.



Word Yerself Up!

For more information about lots of the stuff that we've mentioned in this zine check out the following list of websites. Most of the articles in this zine have been lifted straight from these sites. The list is far from exhaustive but its a start, kinda like this little zine. Happy hunting...

www.aboriginaltentembassy.net - The site of the Aboriginal Tent Embassy.

www.blackgst.com - Campaign for Indigenous rights.

www.savelakecowal.org - Protection of sacred Aboriginal Sites and Lake Cowal from gold mining.

www.aboriginalgenocide.org.au - A website looking at the court cases currently being undertaken to acknowledge the history of Aboriginal genocide in Australia.

www.indymedia.org.au - Independent news source for Australia and Oceania.

www.active.org.au - List of actions happening in and around Sydney.

www.amnesty.org.au - Amnesty International's Australian site

www.asen.org.au - The Australian Student Environment Activist Network, where both Lara and i learnt most of what we know.

www.treedomfighters.org.au - A site with info about the litigation against those criticising the logging of Tasmania's old growth forests.

www.gunns20.org - Similar site to above.

www.geco.org.au The Goongerah Environment Centre. Protecting the Old Growth forests of South Eastern Victoria.

www.baxterwatch.net - Looks at the Baxter Refugee Detention Hell, whoops i mean Centre.

www.chilout.org - Organisation that looks at Children in detention.

http://disobedience.nomasters.org - Anti war group out of Melbourne.

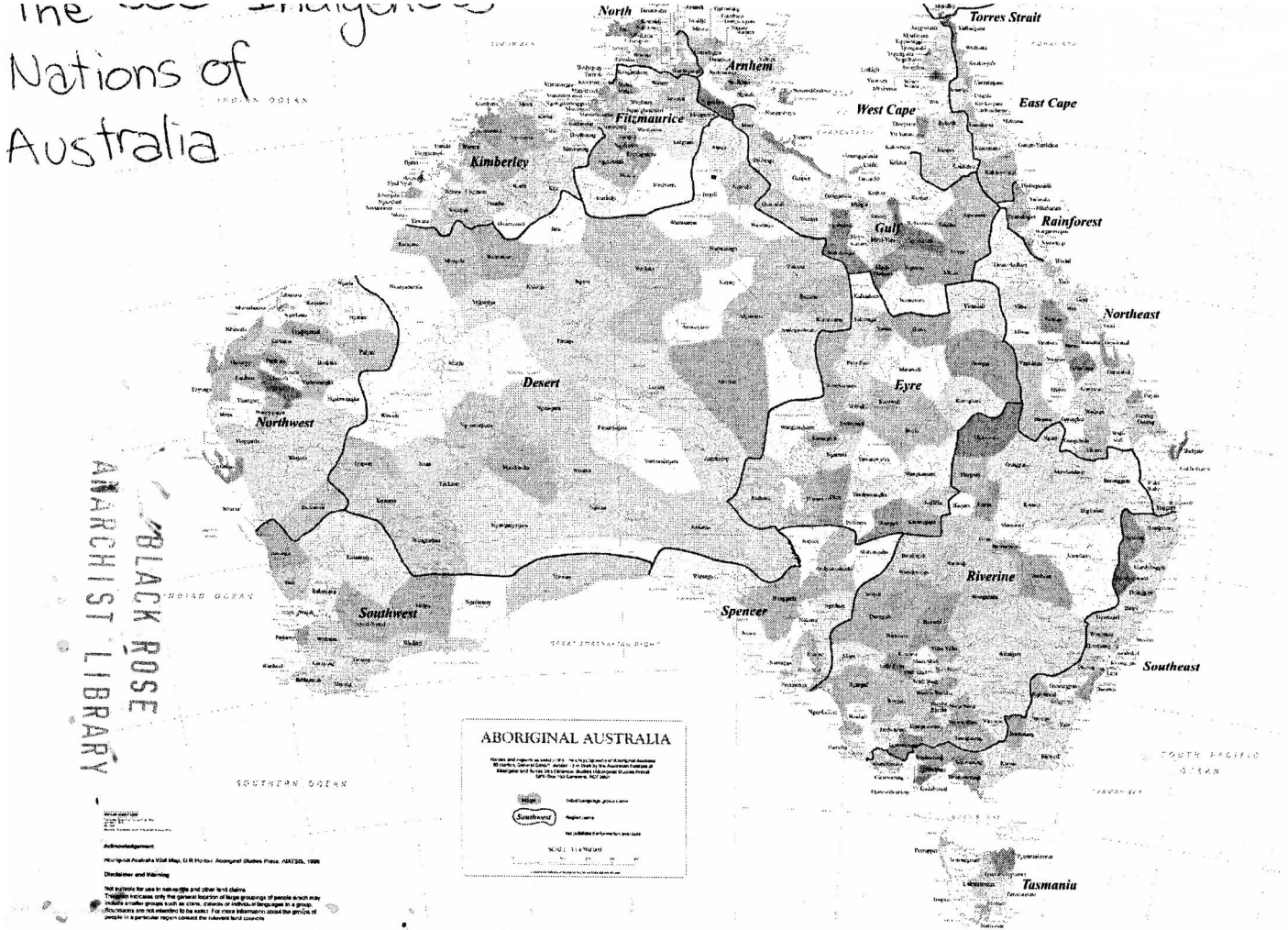
www.stopwarcoalition.org - Broader social group doing anti-war actions.

www.amcran.org - Group of Lawyers and concerned citizens analysing the current range of repressive laws sweeping through Australia.

www.wilderness.org.au - The Wilderness Society in Australia.

www.foe.org.au - Friends of the Earth Australia.

www.aidwatch.org.au - Looks at the use of Australia's Aid budget for business purposes. Monitors Australia's interactions with International Financial Institutions.


Nations of
Australia
North
Arnhem
Fitzmaurice
Kimberley
Torres Strait
East Cape
West Cape
Rainforest
Gulf
Northeast
Desert
Eyre
Northwest
Riverine
Southwest
Spencer
Southeast
Tasmania
INDIAN OCEAN
SOUTHERN OCEAN
PACIFIC OCEAN
ABORIGINAL AUSTRALIA
Southwest
BLACK ROSE
ANARCHIST LIBRARY